



AFSCME®

American Federation of State, County and Municipal Employees, AFL-CIO

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May 18, 2000

Thomas J. Andersen, Esq.
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4762
(AFSCME, AFSCME - PEOPLE and William Lucy, as Treasurer)

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 22 3 09 PM '00

Dear Mr. Andersen:

In response to your letter of May 3, 2000, it appears that there are three facts you wish to confirm. First, the individuals who made the phone calls are not required to be members of AFSCME as a condition of performing this work. Whether any of them chose to join the union anyway is difficult, time consuming and expensive to ascertain. That said, it is unlikely that any of the individuals were members of the union. Second, as I noted in my letter of December 31, 1996, these individuals were paid employees and the calls were made from an AFSCME facility. Third, as previously noted, these calls were reported as in-kind contributions because they contained express advocacy.

Sincerely,

Robert Lenhard